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8/22/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WEI et al.

Art Unit: 1652

Serial No.: 09/784,340

Examiner: D. Ramirez

Filed: February 16, 2001

Atty. Docket: CL000763

For: ISOLATED HUMAN DRUG-  
METABOLIZING PROTEINS, NUCLEIC ACID  
MOLECULES ENCODING HUMAN DRUG-  
METABOLIZING PROTEINS, AND USES  
THEREOF

FAX RECEIVED  
AUG 21 2001  
GROUP 1600

## PRELIMINARY AMENDMENT

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

*By Facsimile*

Sir:

This is in response to an Office communication mailed August 10, 2001 in which a restriction requirement was issued for the above referenced application.

By way of response, Applicants hereby elect claim group I, claims 4-6, 8-11, and 22-23, directed to nucleic acid molecules, vectors, host cells, etc., for examination and have canceled claims corresponding to the non-elected groups II-V and VII-XI.

However, applicants respectfully request that the Examiner reconsider the claim division and include claim 13 in the elected group. Specifically, the point of novelty of claim 13 is the nucleic acid molecules of the claim from which it depends, claim 5. The dependent claim 13 provides a specific use (method of detecting a nucleic acid of claim 5) of the subject matter and it is believed that examination of this claim would not unduly burden the Examiner with additional review issues.

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**FACSIMILE MESSAGE - PLEASE DELIVER PROMPTLY**

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August 20, 2001

TO: Examiner Delia Ramirez  
Group 1652  
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FROM Justin D. Karjala  
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# OF PAGES (incl. cover): 8

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**OFFICIAL**

Re: U.S. Serial No. 09/784,340, filed February 16, 2001  
Entitled "ISOLATED HUMAN DRUG-METABOLIZING PROTEINS,  
NUCLEIC ACID MOLECULES ENCODING HUMAN DRUG-  
METABOLIZING PROTEINS, AND USES THEREOF"

A Preliminary Amendment (Restriction Election) and a Statement Regarding Duty of Disclosure in the above-identified application follows. No fee is due for this filing.

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